

REMARKS

Claims 1-15 are currently active.

Referring to Gorshe, there is taught an interfacing device 5 performs the basic functions essential to carrying out the objectives of the invention taught by Gorshe. The interface device has a pair of input ports 10, 12, a pair of output ports 14, 16, and a pair of bi-directional ports 18, 20. The timing and synchronization aspects of the interface device are handled through the primary clock input 22, the primary frame pulse input 24, the reference clock output 26, and the reference frame pulse output 28. When the interface device is implemented in a receive path, data from a tributary units flow into one or both of the input ports 10, 12. The data may also flow into the interface device through one or both of the bi-directional ports 18, 20 and from neighboring interface devices with which it is cascaded. All data latched into the device by the input port data latches 30, 32 is made available to the time slot assignment portions of the device. The swap offers 38, 40 perform time slot assignment functions on the data which is presented to them by the latch is 34, 36. See column 6, lines 40-65.

When the device is implemented in a transmit path, data from the TSI units flow into one of both of the input ports 10, 12. All data latched into the device by the input port data latches 30, 32 is made available to the time slot assignment portions of the path. As with

the receive path operation, the 4:1 selection data latches 34 and 36 functions to route any of the nine-bit wide input data rails to the swap buffers 38, 40, which perform time slot assignment functions on the data which is presented to them by the latches 34, 36. See column 7, lines 5-16. As is clear from the above description of the operation of the architecture taught by Gorshe, data rails are used to transfer the input data from the input port to an output port.

Referring to Arsian, there is taught a flexible sonet ring with integrated cross-connect system. Arsian teaches a cross connect 100, a plurality of line interface units, a plurality of drop interface units and a controller 110. Controller 110 commands the provisioning of cross connect 100, and the controllers that are associated with each of the interface units. The line interface unit controllers perform the same sensing operations at the controller as a prior art line interface units sense, except that instead of controlling the cross connect fabric, the controller in the flexible DCS primarily communicates to the controller 110. Controller 110 is augmented to perform the necessary control functions. These control functions are really ported from the controller of the ATM portions of the integrated DCS. Arsian teaches that each 4-fiber sonet ring test for line interfaces. The pairs in this case would contain both the service and protection line interface units. These enhanced line interface units also improve operation of a flexible DCS by including switching circuitry for diverting traffic from one line interface unit to the other. Such switching can be under control of the controllers associated with the enhanced line interface units in response to direct detection of a failure condition, were in response to a command from controller 110. From the above

description, it is very clear the core aspect of the architecture taught by Arsian is the use of a cross connect switch fabric 100.

The Examiner is combining the teachings of Arsian in regard to a first input port card receiving data at a first rate and the second input port card receiving data at a second rate, with the teachings of Gorshe to arrive at Claim 1 of applicant. It is respectfully submitted the law prevents the combination of these teachings.

First, the law requires that there must be some teaching in the references themselves to combine the teachings the Examiner is relying upon to arrive at Claim 1 of applicants. It is respectfully submitted there is no such teaching in the applied art of record. It is only with the use of hindsight from Claim 1 of applicant that these teachings of these two references would be combined. It is respectfully submitted the Examiner is using the limitations of applicant Claim 1 as a road map to find the different limitations in the different references, and having found them, concludes that applicant's Claim 1 is arrived at. This is not patent law.

Furthermore, the teachings of each reference cannot be taken out of the context in which it is found. It is clear from the teachings of Arsian that a switch fabric is key to the architecture of the cross connect system taught by Arsian. It is because of this switch fabric, that different rates can be accepted at different port cards. In contrast, the architecture of

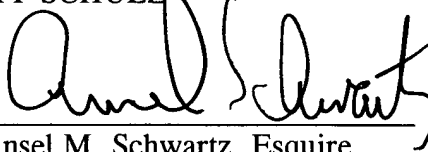
Gorshe has no such switch fabric, and instead uses data rails which is a totally different basis for the architecture of Gorshe. These architectures are completely distinct and not combinable, without significant redesign and development of each of the architectures of the applied art record. Accordingly, Claim 1 is not obvious from the applied art of record. For the same reasons, Claim 9 is not obvious from the applied art of record.

The Examiner has objected to Claims 2-8 and 10-15.

In view of the foregoing remarks, it is respectfully requested that the outstanding rejections and objections to this application be reconsidered and withdrawn, and Claims 1-15, now in this application be allowed.

Respectfully submitted,

JEFF SCHULZ

By 

Ansel M. Schwartz, Esquire

Reg. No. 30,587

One Sterling Plaza

201 N. Craig Street

Suite 304

Pittsburgh, PA 15213

(412) 621-9222

Attorney for Applicant